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10/534,410

05/11/2005

Koichi Shibata

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EXAMINER

EASWARAN, DAVID S

ART UNIT

PAPER NUMBER

4114

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DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/534,410	<b>Applicant(s)</b> SHIBATA ET AL.	
	<b>Examiner</b> DAVID S. EASWARAN	<b>Art Unit</b> 4114	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/11/2008, 12/05/2007, 04/22/2008</u> .                       | 6) <input type="checkbox"/> Other: _____                          |



**DETAILED ACTION**

**Status of Claims**

1. This action is in reply to the national stage application filed on 05/11/2005.
2. Claims 1 – 12 are currently pending and have been examined.

***Claim Objections***

3. Claim 6 is objected to because of the following informalities: the language *individually in correspondence to each of the necessary devices* is improper grammatically. It should read "individually in correspondence with each of the necessary devices." Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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5. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim reads *A rental estimation method according to claim 1, further comprising the act of: adding a device other than the necessary devices for rental*, but does not disclose who adds the additional device. Is it the customer or the entity renting the equipment? For the purpose of this action, I will assume the claim means the customer adds additional products to rent. Regardless, to overcome the rejection the applicant must amend the claim to clarify the limitation.

#### ***Art Rejections***

**Examiner's Note:** The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

#### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 10 – 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Kasahara (US 2003/0040928 A1, hereinafter Kasahara).

**Claim 10: (102)**

Kasahara discloses the following limitations:

- *an input device that enters a work content as prompted in a screen brought up on display* (See at least paragraph 0089, showing that a child registration process begins with the system bringing up a relevant screen on the user's terminal. Child registration information is a type of work content, as understood in the application.);
- *a recognition device that recognizes the work content entered via the screen brought up on display* (See at least paragraph 0090, showing the server waiting for the child registration information to be returned by the user.);
- *a transmission device that transmits the recognized work content to a server* (See at least paragraphs 0048 and 0049, describing that the transmission device contemplated is network adaptors connected via the Internet.);
- *a reception device that receives information indicating a plurality of types of devices matching the work content and rental information related to the devices, which are searched at the server based upon the work content* (See at least paragraph 0115, showing the CPU extracting matches from the article master table. Further see at least paragraph 0117, showing the CPU generating an article selection screen with all of the results.); *and*
- *a display device that displays a screen in which the work content are entered and that brings up a display of the information indicating the plurality of types of*

*devices and their rental information having been received* (See at least paragraph 0047 describing the user terminal, which includes a display device. Further see at least paragraph 0117, last sentence, showing that the CPU transmits the results of the article master table search above to the user terminal.).

**Claim 11: (102)**

Kasahara discloses the following limitations:

- *generating and displaying a screen in which a work content is entered* (See at least paragraph 0089, showing that a child registration process begins with the system bringing up a relevant screen on the user's terminal. Child registration information is a type of work content, as understood in the application.);
- *recognizing the work content entered in the screen brought up on display* (See at least paragraph 0090, showing the server waiting for the child registration information to be returned by the user.);
- *transmitting the recognized work content to the server* (See at least paragraphs 0048 and 0049, describing that the transmission device contemplated is network adaptors connected via the Internet.);
- *receiving information indicating a plurality of types of devices matching the work content and rental information related to the devices, which are searched based upon the transmitted work content* (See at least paragraph 0115, showing the CPU extracting matches from the article master table. Further see at least paragraph 0117, showing the CPU generating an article selection screen with all of the results.); and
- *generating and displaying a screen displaying the information indicating the devices and the rental information having been received* (See at least paragraph 0047 describing the user terminal, which includes a display device. Further see

at least paragraph 0117, last sentence, showing that the CPU transmits the results of the article master table search above to the user terminal.).

**Claim 12: (102)**

Kasahara discloses the following limitations:

- *a database in which information indicating at least a plurality of types of devices and rental information corresponding to the devices are stored in memory in correspondence to a work content* (See at least paragraph 0066, describing the rental master table, which stores all of the items that are currently rented and associates each with the child to whom it is rented.);
- *a recognition device that recognizes a work content transmitted from a terminal* (See at least paragraph 0090, showing the server waiting for the child registration information to be returned by the user.);
- *a search device that searches the database based upon the recognized work content to obtain information indicating a plurality of types of devices and rental information related to the devices in correspondence to the recognized work content* (See at least paragraph 0115, showing the CPU extracting matches from the article master table. Further see at least paragraph 0117, showing the CPU generating an article selection screen with all of the results.); *and*
- *a transmission device that transmits the information indicating the devices and the rental information thus obtained to the terminal* (See at least paragraph 0117, last sentence, showing that the CPU transmits the results of the article master table search above to the user terminal.).



***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

10. Claims 1 – 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kasahara in view of Fukushima et al. (JP-2002-157302 A, hereinafter Fukushima).

**Claim 1:**

Kasahara discloses *entering work content data indicating a work content through the customer terminal* (See at least paragraph 0090, showing the user entering information regarding the child for whom clothing will be rented.);

Kasahara does not specifically disclose *reading out a list of a plurality of necessary devices matching the work content and rental information corresponding to the necessary devices from a predefined database and for providing them to the customer*. However, see at least paragraph 0117, showing the CPU generating and displaying to

the user a listing of all articles of clothing matching the user-entered information regarding a child. The articles of clothing displayed by Kasahara are not necessary, per se, but inclusive of everything that may fit a particular child.

However, Fukushima discloses a system that lists only the necessary devices required to perform the work described to it by the user (See at least Fukushima, paragraph 0007 and Claim #8).

It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the necessary-device-only displaying mechanism of Fukushima with the rental system of Kasahara (by, for example, displaying a list of essential clothing items – pants, shirts, one-piece outfits, etc. – while also creating a separate list of accessory items that are not necessary but may be useful – gloves, hats, etc.), because such a combination would provide greater ease-of-use to the customer, thereby increasing the value and marketability of the product.

**Claim 2:**

The rejection of claim 1 above is incorporated herein. Kasahara further discloses *selecting a device to be rented from the list of the necessary devices provided through the necessary device report* (See at least paragraph 0118, where the user selects clothing to be rented.).

**Claim 3:**

The rejection of claim 1 above is incorporated herein. Kasahara further discloses *adding a device other than the necessary devices for rental* (See at least paragraph 0118, showing that the user can select various items for rental.).

**Claim 4:**

The rejection of claim 1 above is incorporated herein. Kasahara further discloses:

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- *adding a device other than the necessary devices for rental* (See at least paragraph 0118, showing that the user can select various items for rental.);
- *making a rental reservation for renting the device selected through the device selection and the device added through the device addition* (See at least paragraph 0019 describing the rental application created and sent to the user to create the reservation); *and*
- *accepting the reservation thus made* (See at least paragraph 0121, where the reservation is accepted and processed.).

11. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kasahara.

**Claim 5:**

Kasahara discloses the following:

- *a data input device through which data are entered by a rental customer* (See at least paragraph 0090, showing the user entering information regarding the child for whom clothing will be rented.);
- *a stock management database in which rental information with regard to the necessary devices is stored* (See at least paragraph 0064, describing the article master table.);
- *a rental management server that reads out a plurality of necessary devices matching a work content and rental information with regard to the necessary devices from the work content management database and the stock management database in response to input of data of a work content through the data input device* (See at least paragraph 0117, in which an article selection screen is generated in response to child information entered by the user and the article master table.); *and*

- *a reporting device that provides the information read out by the rental management server to a customer* (See at least paragraph 0117, last sentence, showing that the article selection screen, which contains the list of matching items, is transmitted to the user terminal.).

Kasahara does not specifically disclose a database that stores necessary devices corresponding to various potential user inputs. Kasahara does perform analysis of the items in stock in response to the user input to develop a list of items consistent with the user input. This methodology of Kasahara is, in fact, more complex than that suggested by applicant.

Additionally, Kasahara does contemplate the use of databases in a similar fashion elsewhere in its disclosure. For example, Kasahara's article master table database serves the exact type of purpose as applicant's work content management database (i.e. storing a series of potential inputs, and indexing information in the database based upon those inputs). As such, it would have been obvious to one of ordinary skill in the art at the time of the invention to remove the diagnostic function of Kasahara and instead insert a master table containing sets of potential user inputs and, corresponding to each set, a series of articles of clothing. Such a reorganization would in fact simplify the invention significantly as well as likely reduce the run-time of the system as a whole.

12. Claims 6 – 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kasahara in view of Nishiyama (US 2002/0013712 A1, hereinafter Nishiyama).

**Claim 6:**

The rejection of claim 5 above is incorporated herein. Kasahara further discloses *the data input device further allows an entry of data indicating a rental period* (See at least

paragraph 0105, stating that the condition input screen “contains text boxes 57a to 57c for inputting a name, a date of the start of a rental period and a date of the end of the rental period respectively.”).

Kasahara does not specifically disclose a rental period adjustment function. However, Nishiyama discloses a rental period adjustment function (See at least Nishiyama paragraph 0048, describing how rental periods can be finely tuned when knowledge of the rental calendar for certain items is known.)

It would have been obvious for one of ordinary skill in the art at the time of the invention to employ the rental period adjustment feature of Nishiyama with the rental system of Kasahara because employing such an adjustment feature can increase the efficiency of the rental system (specifically, by potentially maximizing the time during which an item is actually rented, rather than having small unrentable gaps between rental periods).

**Claim 7:**

The rejection of claim 5 above is incorporated herein. Kasahara further discloses:

- *a device management database in which specification information relating to specifications of the necessary devices is stored (See at least paragraph 0064, describing the article master table.), wherein:*
- *as a predefined detailed information display command is entered through the data input device, the rental management server reads out specification information corresponding to the necessary device from the device management database and provides the specification information to a customer (See at least paragraph 0117, in which an article selection screen is generated in response to child information entered by the user and the article master table, the article selection screen then being displayed to the user.).*

**Claim 8:**

The rejection of claim 7 above is incorporated herein. Kasahara further discloses:

- *necessary devices used in a given application are grouped together and groups of necessary devices are stored in the device management database (See at least paragraph 0066, describing the rental master table, a listing of all of the items that are currently rented, grouped by reference to which child each item is rented.); and*
- *the rental estimation system further comprises a device switching device that selectively switches the necessary device to a device in a matching group when a predefined input is made through the data input device (See at least paragraph 0122, where upon renting an item to a new child, the item is grouped appropriately in the rental master table.).*

**Claim 9:**

The rejection of claim 7 above is incorporated herein. Kasahara does not specifically disclose *an adding device that sets an additional necessary device selected from the device management database in response to a predefined device add command inputted through the data input device.*

Kasahara does disclose that multiple items can be selected via a check box associated with a displayed list of items (See paragraph 0117). This feature has essentially the same functionality as the device adding command limitation stated by the applicant. As such, it would have been obvious for one of ordinary skill in the art at the time of the invention to modify the invention of Kasahara with the use of a device adding command such as the applicant proposes in lieu of the check box adding method of Kasahara. Such a modification would ensure greater ease-of-use and a more robust graphical user interface, thereby bolstering the marketability of the product.

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Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **David Easwaran** whose telephone number is **571-270-5480**. The Examiner can normally be reached on Monday-Friday, 7:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **JAMES A. REAGAN** can be reached at **571.272.6710**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

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/DAVID S EASWARAN/

12/29/2008

Examiner, Art Unit 4114

/James A. Reagan/

Supervisory Patent Examiner, Art Unit 4114